

# House Amendment 1190

PAG LIN

1 1 Amend House File 706 as follows:  
1 2 #1. Page 1, by striking lines 13 through 18 and  
1 3 inserting the following:  
1 4 <1. Except as provided under chapter 29A, or the  
1 5 federal Servicemembers Civil Relief Act of 2003, 50  
1 6 U.S.C. app. 532 and 533, a creditor shall not initiate  
1 7 a proceeding to enforce an obligation payable under  
1 8 its terms in installments under a contract for the  
1 9 purchase of real estate, or secured by a mortgage or  
1 10 other instrument in the nature of a mortgage upon real  
1 11 estate, against a borrower, or a borrower's  
1 12 dependents, who is a member of the national guard or a  
1 13 member of the reserve or regular component of the  
1 14 armed forces of the United States in active duty  
1 15 service. Enforcement of an obligation shall not be  
1 16 permitted under the following circumstances:>  
1 17 #2. Page 1, line 20, by striking the words  
1 18 <entitled to> and inserting the following: <has been  
1 19 afforded>.  
1 20 #3. Page 1, by striking lines 22 through 24 and  
1 21 inserting the following: <creditor who enforces an  
1 22 obligation in violation of chapter 29A, subchapter VI,  
1 23 is subject to applicable penalty>.  
1 24 #4. Page 1, line 28, by striking the words  
1 25 <entitled to> and inserting the following: <has been  
1 26 afforded>.  
1 27 #5. Page 1, by striking lines 30 through 32 and  
1 28 inserting the following: <533. A creditor who  
1 29 enforces an obligation in violation of the federal Act  
1 30 is subject to applicable penalty>.  
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